

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

SHELLY P.,

Plaintiff,

v.

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

Case No. 23-11228

Honorable Shalina D. Kumar

Magistrate Judge Patricia T. Morris

**OPINION AND ORDER ADOPTING REPORT AND
RECOMMENDATION (ECF NO. 14); DENYING PLAINTIFF'S MOTION
FOR SUMMARY JUDGMENT (ECF NO. 9); GRANTING
COMMISSIONER'S MOTION FOR SUMMARY JUDGMENT (ECF NO.
11); AND AFFIRMING THE COMMISSIONER'S DECISION**

Plaintiff Shelly P. appeals the final decision of defendant Commissioner of Social Security, who denied her application for disability insurance benefits under the Social Security Act. ECF No. 1. Under 28 U.S.C. § 636 (b), the Court referred all pretrial matters in the case to the magistrate judge. ECF No. 7. Both parties filed motions for summary judgment. ECF Nos. 9, 11.

On March 21, 2024, the magistrate judge issued a Report and Recommendation ("R&R"). ECF No. 14. The R&R recommends that plaintiff's motion be denied; the Commissioner's motion be granted; and the

Commissioner's decision be affirmed under sentence four of 42 U.S.C. § 405(g). *Id.* At the conclusion of the R&R, the magistrate judge advised the parties that they may object to and seek review of the R&R within fourteen (14) days of service upon them, and "[f]ailure to file specific objections constitutes a waiver of any further right to appeal." *Id.* Neither party filed objections to the R&R.

The Court has reviewed the record and **ADOPTS** the R&R (ECF No. 14), **DENIES** plaintiff's motion for summary judgment (ECF No. 9), and **GRANTS** the Commissioner's motion for summary judgment (ECF No. 11). Judgment shall issue in favor of the Commissioner **AFFIRMING** the Commissioner's decision that plaintiff is not disabled under sentence four of 42 U.S.C. § 405(g).

IT IS SO ORDERED.

Dated: April 24, 2024

s/ Shalina D. Kumar
SHALINA D. KUMAR
United States District Judge